

District Judge Tiffany M. Cartwright

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Jesus Bento CARDOZO et al.,

Petitioners,

v.

Laura HERMOSILLO, Acting Field Office  
Director of Enforcement and Removal  
Operations, Seattle Field Office et al.,

Respondents.

Case No. 2:25-cv-00871-TMC

**PETITIONER’S REPLY IN SUPPORT  
OF MOTION FOR FEES AND COSTS  
UNDER THE EQUAL JUSTICE TO  
ACCESS ACT (EAJA)**

Noted on Motion Calendar:  
December 26, 2025

Respondents claim that their position was substantially justified “because the immigration court was spending a significant amount of time and resources to identify and locate appropriate interpreters for Petitioner.” Dkt. 32. Notably, this Court already rejected Respondents’ argument that the government “made significant efforts to secure interpreters” and thus did not cause any delay to prolong Petitioner’s detention. Dkt. 28 at 2 (“[T]he delay caused by the necessity of finding an interpreter ‘is attributable to the Government, not petitioner.’” (quoting *Banda v. McAleenan*, 385 F. Supp. 3d 1009, 1119–20 (W.D. Wash. 2019))). Respondents cannot meet their burden to show substantial justification by simply rebranding that same delay as reasonableness.

1 Furthermore, Respondents present no other defense of their position; nor do they dispute  
2 Petitioner's prevailing party status or the amount of fees requested.

3 Accordingly, the Court should grant Mr. Khadaj's motion for an award under EAJA.

4 Dated this 26th day of December, 2025.

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I certify that this memorandum contains 153  
words, in compliance with the Local Civil  
Rules.

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